

Message Text

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41

ACTION EB-07

INFO OCT-01 IO-10 ISO-00 AGR-10 CEA-01 CIAE-00 COME-00

DODE-00 FRB-01 H-02 INR-07 INT-05 L-02 LAB-04 NSAE-00

NSC-05 PA-02 AID-05 CIEP-02 SS-15 STR-04 TAR-01

TRSE-00 USIA-15 PRS-01 SP-02 FEAE-00 OMB-01 XMB-04

AF-06 ARA-10 EA-10 EUR-12 NEA-09 /154 W

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FM MTN DEL GENEVA

TO SECSTATE WASHDC 73

UNCLAS MTN GENEVA 3113

PASS STR

EO 11652: NA

TAGS: ETRD, GATT

SUBJ: MTN: NTM MEETING - CUSTOMS MATTERS

1. GATT SECRETARIAT TODAY ISSUED BACKGROUND NOTE ON CUSTOMS MATTERS (MTN/NTM/W/7). FOLLOWING SECTIONS, "MAIN ISSUES", ARE LIKELY TO BE USED AS AGENDA FOR MAY 20-30 MEETING. THESE SECTIONS COVER, RESPECTIVELY, CUSTOMS VALUATION, IMPORT DOCUMENTATION - INCLUDING CUSTOMS FORMALITIES, CUSTOMS NOMENCLATURE AND CUSTOMS PROCEDURES.

2. QUOTE:

CUSTOMS VALUATION

MAIN ISSUES

10. THE PREVIOUS DISCUSSIONS, INCLUDING THE DISCUSSION HELD AT THE MEETING OF THE GROUP "NON-TARIFF MEASURES" ON 4-7 UNCLASSIFIED

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MARCH 1975, HAVE RELATED INTER ALIA, TO THE FOLLOWING

MAIN ISSUES:

(A) THAT IS THE MOST APPROPRIATE WAY TO DEAL WITH PROBLEMS ARISING IN THE FIELD OF CUSTOMS VALUATION: AN OVERALL SOLUTION THROUGH THE ELABORATION OF GENERAL RULES OR A CASE-BY-CASE APPROACH OR A COMBINATION OF BOTH?

(B) IF THE OVERALL SOLUTION IS THE APPROPRIATE WAY:

(I) SHOULD THE AD REFERENDUM SOLUTION WORKED OUT IN 1971 BE THE APPROPRIATE BASIS FOR THE FURTHER WORK ON VALUATION? IF NOT, WHAT WOULD BE THE APPROPRIATE WAY TO PROCEED IN THE NEGOTIATIONS?

(II) COULD A SOLUTION BE SOUGHT THROUGH THE ACCEPTANCE OF THE BRUSSELS CONVENTION ON THE VALUATION, BEARING IN MIND THE RECENT DECISION OF THE CUSTOMS COOPERATION COUNCIL ON ITS APPLICATION ON AN F.O.B. BASIS?

(C) WOULD A SOLUTION BE LEGALLY BINDING OR WOULD IT BE A SET OF GUIDELINES? IF IT IS TO BE LEGALLY BINDING, WHAT WOULD BE ITS RELATIONSHIP TO THE GENERAL AGREEMENT?

(D) ON WHAT BASIS SHOULD DEVELOPING COUNTRIES PARTICIPATE IN THE NEGOTIATIONS IN TERMS OF THE ADVANTAGES THEY MIGHT OBTAIN AND THE CONTRIBUTION THEY MIGHT MAKE?

B. IMPORT DOCUMENTATION INCLUDING CONSULAR FORMALITIES

MAIN ISSUES

23. THE PREVIOUS DISCUSSIONS, INCLUDING THE DISCUSSION HELD AT THE MEETING OF THE GROUP "NON-TARIFF MEASURES" ON 4-7 MARCH 1975, HAVE RELATED, INTER ALIA, TO THE FOLLOWING MAIN ISSUES:

(A) SHOULD AN AIM OF THE NEGOTIATIONS BE TO ACHIEVE UNCLASSIFIED

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BINDING COMMITMENTS THAT PARTICIPATING COUNTRIES ADHERE TO THE CCC INTERNATIONAL CONVENTION ON THE SIMPLIFICATION AND HARMONIZATION OF CUSTOMS PROCEDURES TOGETHER WITH THE RELEVANT ANNEXES AND/OR TO UNDERTAKE TO IMPLEMENT ANY ECE RECOMMENDATION REGARDING AN ALIGNED COMMERCIAL INVOICE?

(B) SHOULD AN AIM OF THE NEGOTIATIONS - INDEPENDENTLY

OF THE PROGRESS OF THE WORK IN OTHER ORGANIZATIONS - BE TO
DRAW UP:

(I) A BINDING CODE, OR

(II) A SET OF GUIDELINES OR PRINCIPLES, OR

(III) INTERPRETATIVE NOTES TO THE RELEVANT
GATT PROVISIONS?

(C) TO WHAT EXTENT WOULD AN INTERNATIONALLY
ACCEPTED STANDARDIZED COMMERCIAL INVOICE AND CUSTOMS
ENTRY FORM HELP TO SOLVE THE PROBLEMS IN THIS AREA, IN
PARTICULAR THE PROBLEMS OF CUSTOMS INVOICES?

(D) (I) SHOULD THE AIM OF THE NEGOTIATIONS BE TO
ABOLISH THE CONSULAR FORMALITIES AND IF SO HOW WOULD
IT BE ACHIEVED?

(II) ALTERNATIVELY, SHOULD CONSULAR FORMALITIES
BE PERMITTED SUBJECT TO GREATER INTERNATIONAL REGULATION?

(E) ON WHAT BASIS SHOULD DEVELOPING COUNTRIES
PARTICIPATE IN THE NEGOTIATIONS IN TERMS OF THE ADVAN-
TAGES THEY MIGHT OBTAIN AND THE CONTRIBUTION THEY
MIGHT MAKE?

C. TARIFF NOMENCLATURE

MAIN ISSUES

34. THE PREVIOUS DISCUSSIONS, INCLUDING THE DISCUSSION
HELD AT THE MEETING OF THE GROUP "NON-TARIFF MEASURES"
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ON 4-7 MARCH 1975, HAVE RELATED, INTER ALIA, TO THE
FOLLOWING MAIN ISSUES:

(A) SHOULD THE NEGOTIATIONS AIM AT THE MORE GENERAL-
IZED ACCEPTANCE OF THE BRUSSELS CONVENTION ON NOMENCLA-
TURE FOR THE CLASSIFICATION OF GOODS IN CUSTOMS TARIFFS
AND/OR AT THE GENERALIZED DE FACTO USE OF THE BTN?

(B) IF NOT, HOW SHOULD THE PROBLEMS IN THE AREA
BEST BE TACKLED?

(C) ON WHAT BASIS SHOULD DEVELOPING COUNTRIES PAR-
TICIPATE IN THE NEGOTIATIONS IN TERMS OF THE ADVANTAGES
THEY MIGHT OBTAIN AND THE CONTRIBUTION THEY MIGHT MAKE?

D. CUSTOMS PROCEDURES

MAIN ISSUES

40. THE FOLLOWING APPEAR TO BE AMONG THE MAIN ISSUES:

(A) WHICH PARTICULAR PROBLEMS IN THIS AREA SHOULD BE DEALT WITH IN THE NEGOTIATIONS?

(B) WHAT APPROACH SHOULD BE USED IN THIS AREA?
SHOULD THE PROBLEMS BE DEALT WITH VIA GENERAL RULES OR
SHOULD THEY BE DEALT WITH CASE BY CASE?

(C) SHOULD AN AIM OF THE NEGOTIATIONS BE TO
ACHIEVE BINDING COMMITMENTS THAT PARTICIPATING COUNTRIES
ADHERE TO THE CCC INTERNATIONAL CONVENTION ON THE
SIMPLIFICATION AND HARMONIZATION OF CUSTOMS PROCED-
URES TOGETHER WITH THE RELEVANT ANNEXES?

(D) ON WHAT BASIS SHOULD DEVELOPING COUNTRIES
PARTICIPATE IN THE NEGOTIATIONS IN TERMS OF THE ADVAN-
TAGES THEY MIGHT OBTAIN AND THE CONTRIBUTION THEY
MIGHT MAKE?

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